

## **REMARKS**

This paper is presented in response to the Office Action (hereinafter referred to as "the Office Action") mailed May 3, 2006. In the Office Action, Claims 1, 3, 6-12, 15, 18, and 40-51 were rejected under 35 U.S.C. §103 (a) as being unpatentable over U.S. Patent Publication No. 2002/0172471 to Slater et al. ("Slater") in view of U.S. Patent No. 6,275,643 to Brady et al. ("Brady"). By this paper, Claims 1, 9, and 43 are amended, Claims 40 and 42 are canceled, such that Claims 1, 3, 6-12, 15, 18, 41, and 43-51 remain pending.

Reconsideration of the application is respectfully requested in view of the following remarks. For the convenience and reference of the Examiner, the remarks of Applicant are presented in the order in which the corresponding issues were raised in the Office Action.

### **I. General Considerations**

Applicants note that the remarks and amendments presented herein have been made merely to clarify the claimed embodiments from elements purported by the Office Action to be taught by the cited references. Such remarks, or a lack of remarks, and amendments are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicants: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Office Action; as to whether it is proper to combine any cited references; or as to any other assertions, allegations or characterizations made by the Office Action at any time in this case. Applicants reserve the right to challenge the purported teaching and prior art status of the cited references, as well as whether it is proper to combine the cited references, at any appropriate time.

In addition, the remarks herein do not constitute, nor are they intended to be, an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed herein are presented solely by way of example. Consistent with the foregoing, the discussion herein is not intended, and should not be construed, to prejudice or foreclose contemporaneous or future consideration, by the Applicants, of additional or alternative distinctions between the claims of the present application and the references cited by the Office Action, and/or the merits of additional or alternative arguments.

## II. Rejection Under 35 U.S.C. §103(a)

As an initial matter, Applicants respectfully note that in order to establish a *prima facie* case of obviousness, it is the burden of the Examiner to demonstrate that three criteria are met: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; second, there must be a reasonable expectation of success; and third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143.

Applicants traverse the rejection of Claims 1, 3, 6-12, 15, 18, 41, and 43-51 under 35 U.S.C. §103(a) over Slater in view of Brady for at least the reason that the purported combination of Slater and Brady fails to disclose or suggest at least, "wherein the sleeve is attached to the housing by a single strip of metallization covering an arc of about 45° or less of the circumference of the sleeve and running substantially the length of the sleeve," as recited in amended Claim 1. Similar limitations are found in amended independent Claims 9 and 43.

However, the Office Action alleges disclosure of this limitation in Fig. 1C and paragraph 0020 of Slater. Office Action at 3. Paragraph 0020 of Slater states "In the configuration of FIG. 1A, the sleeve 106 is bonded to the inner surface of the bore at point 110, though, as shown in FIG. 1C, the outer sleeve 106 may be bonded at a different point, namely, at a point closer to the opening of the split in the sleeve itself. Any suitable soldering or brazing technique may be used, as appropriate to the materials."

After careful review, however, Fig. 1C and paragraph 20 fail to teach or disclose "wherein the sleeve is attached to the housing by a **single strip of metallization covering an arc of about 45° or less of the circumference of the sleeve** and running substantially the length of the sleeve." (emphasis added). In other words, although Slater may disclose bonding of a sleeve, it does not disclose a single strip of metallization covering an arc of about 45° or less of the circumference of the sleeve as recited in Claim 1 and similarly recited in Claims 9 and 43.

Accordingly, Slater does not teach each and every element of amended Claims 1, 9, and 43 as required for a *prima facie* case of obviousness. Thus, the obviousness rejection should be withdrawn for Claims 1, 9, and 43.

Because Slater fails to disclose or suggest each and every claim element, independent Claims 1, 9 and 43 are in condition for allowance. Claims 40 and 42 are canceled, obviating the rejection of these claims. Claims 3, 6-8, 10-12, 15, 18, 41, and 44-51 each depend from one of Claims 1, 9 and 43, and are allowable at least for their dependence on an allowable claim.

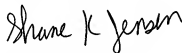
Applicants also traverse the independent rejection of Claims 45 and 46 under 35 U.S.C. § 103(a) as being unpatentable over Slater in view of Brady for at least the reason that the purported combination of Slater and Brady fails to disclose or suggest each and every claim element as discussed above. Claims 45 and 46 are allowable at least for their dependence on Claim 43.

### CONCLUSION

In view of the foregoing, Applicants believe the claims as amended or presently pending are in allowable form and that every issue raised by the Office Action has been addressed. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorneys.

Dated this 25<sup>th</sup> day of September, 2006.

Respectfully submitted,



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